

**CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, MAY 8, 2006**

PRESENT:	ROBERT CANNON	SUPERVISOR
	DENNIS C. TOMLINSON	CLERK
	WILLIAM SOWERBY	TREASURER
	GEORGE FITZGERALD	TRUSTEE
	ERNEST HORNUNG	TRUSTEE
	DEAN REYNOLDS	TRUSTEE
	JENIFER WEST	TRUSTEE

The Regular Meeting of the Board of Trustees was called to order at 6:30 p.m. in the Board Chambers. Also in attendance was Jack Dolan, Township Attorney. The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

The Clerk informed the Board that a closed session was requested for item 25 for the purpose of discussing a legal opinion from the Township Attorney.

Motion by Mr. Fitzgerald, supported by Ms. West, to approve the agenda. Roll call: Ayes-Fitzgerald, West, Reynolds, Hornung, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

1. PRESENTATION OF CITIZENS PLANNERS PROGRAM CERTIFICATES

Terry Gibb presented Citizens Planners Program Certificates to Eric Jackson, Dara Brooks, James D. Angelo and Kirkanne Moseley, who had completed the 8-week program.

Motion by Ms. West, supported by Mr. Reynolds, to receive and file the presentation of Citizens Planners Program Certificates. Roll Call: Ayes-West, Reynolds, Hornung, Fitzgerald, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

**2. PRESENTATION OF MICHIGAN RECREATION AND PARKS ASSOCIATION
COMMUNITY SERVICE AWARD: MCDONALD'S RESTAURANT**

Parks and Recreation Director Linda Walter informed the Board that the McDonald's restaurants of Clinton Township were being presented the award for their contributions to Township programs and partnering with the Township on the Gratiot Cruise and Family Festival.

Motion by Mr. Hornung, supported by Mr. Fitzgerald, to receive and file the presentation of Michigan Recreation and Parks Association Community Service Award to McDonald's

Restaurant. Roll Call: Ayes-Horning, Fitzgerald, Reynolds, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

3. **PROPOSED REZONING FROM R-3 ONE-FAMILY RESIDENTIAL, RML
MULTIPLE FAMILY RESIDENTIAL (LOW DENSITY) AND RMH
MULTIPLE-FAMILY RESIDENTIAL TO RML MULTIPLE-FAMILY
RESIDENTIAL (LOW-DENSITY) (60.24 ACRES) & B-3 GENERAL
BUSINESS(45.87 ACRES): 106.1 ACRES FRONTING THE WEST LINE OF
GROESBECK HWY., & THE E. LINE OF MORAVIAN DR. S. OF HILLCREST
ST.**

Joe Thomas, 2600 West Big Beaver Road., Troy, appeared on behalf of the petitioner. He said that his client had made the decision not to ask the Board to make a decision on the rezoning tonight, but suggested that they take 30 days to work out an agreement as to the rezoning. They are aware of the controversy and feel they should meet with the Township to come up with a proposal.

Mr. Cannon stated this would be contract zoning and the owners and future owners would be held to the terms.

Mr. Tomlinson said that a site plan could possibly be part of the contract. Mr. Sowerby asked Mr. Dolan to explain contract zoning and the public process of the agreement.

Mr. Dolan explained that with contract zoning, the property owners are allowed to present the details of the project to the Township. The contract would be binding on the developers and successors, assignees and transferees. It permits elaborate detail including site plans and elevations and landscaping. The proposal would be presented at a public meeting and not valid until voted on by the Board at a public meeting.

Mr. Cannon then asked for comments from the public.

Beth Lupo of 21310 Hillcrest asked if the item had been tabled. She stated that she was concerned with the traffic density in already in the area.

Tom Melke of 38864 Red Oaks said he would like to see a proposed site plan with the zoning agreement.

Mr. Cannon stated that he did not know if a site plan would be part of the contract.

Mr. Dolan added that the law is drafted in such a way that the proposal must come from the owner/developer and does not authorize the Township to require any features under this plan.

Dayton DeHate, 21370 Hillcrest would like to have a berm between the project and the Hillcrest properties. His property abuts the project and he is interested in how it will develop. He would like to see a buffer of 50 feet

John Melke of 38864 Red Oak stated that Moravian is an old historic road and the neighborhood is a nice one and he would like to see it kept that way.

Ron Casmierski of 20058 River Hill added that the traffic in the area is atrocious. An additional 12000 cars coming in from the Meijers plus the residential and the Rose Garden development make turn lanes necessary. He urged the board to plan this correctly.

Barbara Murphy of 39950 Moravian asked how the property can be rezoned when they do not know what is to be planned. Without a plan they residents don't want the project at all. Also traffic is horrendous. She stated that she has been unsuccessful in trying to sell and she does not want it to get any worse.

Gil Betz of 40207 Moravian added comments about the traffic situation and noted that the area floods which must be taken care of during the engineering stage.

John Lavalley of 21300 Hillcrest, is concerned with the cut through traffic.

August Gregie of 38350 James stated that there are mechanisms for presenting a site plan before rezoning. Noise, traffic and other issues are impacting the area. He believes that the contract concept is helpful and a way to get the developer to provide more information.

Patty Blanchard of 21150 Bellvue stated she enjoys living along the golf course but now there is a park she has had vandalism. She is concerned with her street being turned into a through street.

Damian McGuire, 39255 Cypress felt that the residents were stressed out by what is coming to the area. He stated that the area was under water several years ago. He is in favor of development but does not want to be left out of the decision making.

Anthony Moralovich of 20750 Moxon is concerned about the contract zoning concept. He wants more dialogue with the residents and is concerned with what the residents may not be privy to.

Mr. Cannon stated that the Planning Department, the Township Attorney and the Board members would take the residents' concerns to the developer.

Mr. Reynolds added that the site plan would still have to be approved. Mr. Dolan noted that the contract could include a site plan, but the ultimate decision will be made by the Board. Mr. Reynolds pointed out that he lives in the area and that nobody wants to see anything go in that will hurt the area.

Resident of 20800 Moxon wants plans to address the traffic problems, and the negotiations to be "transparent" for the residents.

Ron Robinson of 39801 Moravian stated he has been very involved in this matter and felt that the Township's ordinances were incorrect. He believed that PUD ordinances would prevent problems in zoning.

Mr. Dolan stated that he disagreed with the benefit of PUD ordinances in this process.

Jay Heyboer of 20774 Harrington stated that traffic backups, speeders and tailgaters were a problem on the road and asked if this process would affect road planning. He felt that perhaps this development did not belong in the area.

Gary Broad of 20850 Moxon believes that the project would have a negative impact on the local businesses and the zoning should not be deviated from unless the community was involved.

He believed that the township should not be intimidated by threats of a lawsuit.

David Sloat of 21025 Bellvue stated that there was a lot of traffic and there will be more cars cutting through. The speed limit is disregarded. Weather makes it more difficult and the traffic and accidents will make it worse. He was concerned with what would happen during fire or medical emergencies.

Ella Schmidt of 20975 Moxon said that she moved to the area from Troy. She considers the neighborhood to be a jewel and unique. She is concerned that there will be development in the flood plain. She asked the Board if they could guarantee that the water will not end up in her basement. She had to follow all the rules laid out by the DEQ.

Mr. Dolan pointed out that to develop in a flood plain required state permits and the Township was unaware of any such development.

Tom Schultz of 38537 Hidden Lane said that the Board decision will be its legacy to the community. The Township does not need another Meijers.

Eric Douglas of 38671 Byriver stated that there was no park shown on the Township map. He said that permits for flood plain development are given all the time and felt the residents were being steamrolled.

Mr. Reynolds asked if the Township Board has to approve any cut and fill.

Mr. Dolan explained that there are Township ordinances which relate to flood plain areas. He added that the process of contract zoning is mandated by statute.

Frank Valdez of 38284 Kelmar was concerned with traffic, water run off on Moravian. Moravian is a historic road and he would hate to see it developed into 4 lanes. He did not think the infrastructure could accommodate the increase from the development.

Jerry Lehr of 38459 Moravian asked if the Township was aware of what the County was doing to expand roads in the area.

Mr. Cannon stated that it was scheduled to be widened to five lanes from Groesbeck to Heydenreich this year and there were Federal funds to continue to Hall. Clinton Township does not control the roads. Next year 16 Mile will be widened between Garfield and Gratiot. There are no plans to replace the Moravian bridge. He added that the Township tried to get the golf course to stay but it cannot tell a property owner not to develop its property.

Mr. Lehr said that the Road Commission told him that the Moravian bridge will be replaced if it falls down.

Mr. Cannon added that last year he was told that the bridge was safe.

Dell Atkins of 37930 Moravian said the present problems are the result of poor planning. He hears the roar of the traffic on Groesbeck and believes Moravian will be widened.

Ossie Mondo of 39140 Gary pointed out that more homes will require more schools and result in higher taxes.

Conrad Lindt of 19864 White Oak is concerned with the prospect of multi-level high rise homes.

Debby Nicholson of 21331 Hillcrest said that Hillcrest is the street that has been forgotten. She stated that the development is already going through they can expect heavy dust. She urged that single family residential be kept.

Scott Gotti of 39675 Santa Barbara believed that the development is a foregone conclusion. He wants more than a plan "they can live with." The area has a personality and developers have rights but the power is with the Board. They should give the residents a reason to stay in the area.

Ken Reif of 41595 Little Road is concerned with the behavior of the builder. He stated that when there was development in his area they were rude to the residents and barricaded the roads. Little Road was being used as a cut through during the construction. Heavy trucks should not be allowed to use residential streets and that traffic should be restricted to Groesbeck. He did not believe that the area needed more restaurants.

Sal Mocerri of 39241 Elliott was told that Moravian was narrowed to slow down traffic. This type of development drops the value of the homes. He is concerned with this type of development in the area.

Kathy Farkas of 20540 Palm Meadow is amazed with the growth in the area. The residents believe that it is done deal. She felt that the Board can make a decision on a Meijers given the surrounding area. She believed that the Farmer Jack's will suffer. No one disagrees with progress but not at the expense of the residents.

Christine Davis of 21246 Hillcrest asked what she would be possibly looking at.

Mr. Santia explained the various zoning classifications. B-1, neighborhood retail, small retail stores; B-2 community retail, larger stores such as Kroger, T.J. Maxx; or B-3 which would include gas stations, automotive uses.

Thomas Collins of 21301 Hillcrest asked if the concrete crushing will be stopped.

Mr. Sowerby asked what the Board could do to answer the health concerns and required permits.

Mr. Codron stated that if they brought in crushers they need to provide a water source. Concrete removal is a normal construction activity. The dust problems that the Board dealt with the past were with batch plants.

Mr. Dolan added that the Building Department will have someone visit the site. If there is a violation, enforcement action can be commenced. The Building Department does not have to come back to the Board. If a permit is required, they will have to come to the Board.

Mr. Sowerby asked that a report be brought back to the Board in two weeks on the crushing activity.

Mr. Jasinski stated that the developer has pulled a hydrant permit for dust control.

Robert Varko of 38700 Moravian pointed out that the Planning Commission turned down the petitioner's request. He asked the Board to do the same. He reminded the Board that the residents are their constituents. He hoped that this was not an entitlement program for developers. The Township does not need this development.

Mr. Cannon pointed out that there are several zoning classifications on the property. Mr. Santia had a map of the area and discussed the various classifications.

Cynthia Moseley of 21260 Hillcrest informed the Board that crushers were delivered to the property by the contractor, Pamar.

Wesley Woodruff of 21350 Hillcrest added that there were 2 crushers on the property and he was concerned with the dust and noise.

Ronald Robinson pointed out that most of the multiple family would be preferred to a Meijer's. A buffer to Hillcrest was needed.

Mr. Thomas reiterated the request of the petitioner. He stated that his client is willing to work with the Township.

Mr. Sowerby added that there were several serious concerns with regard to the concrete. Mr. Thomas pointed out that he does not know anything about what is going on at the site. He did state that Mr. George would never intentionally violate any Township ordinances.

Mr. Cannon stated that the developer is not an outsider. He has put up a number of quality developments in the Township and in other communities. He believes he is an honorable man.

Mr. Tomlinson said that something is going to be developed on the property. He felt that the contract zoning was the right idea. He said that a traffic impact study should be completed to determine how the development is going to impact the neighborhood. He also felt that the residents had a lot of misinformation. He said that a site plan should also be included in the contract.

Mr. Sowerby asked how long it would take for a road study. Mr. Santia felt that 3 or 4 weeks would be required.

Mr. Fitzgerald assured the residents that everyone wants what is best for the community. The Board had the ability to go with contract zoning and this is one of the best avenues the Township has and the result will be a development that will be pleasing to everyone. There was some discussion on the amount of time that the developer would need to come up with the proposal and the studies which were asked for. They felt that the July 17 meeting would be sufficient time.

Mr. Dolan reminded the Board that they cannot place any requirements into the contract zoning proposal.

Motion by Mr. Tomlinson, supported by Mr. Reynolds, that the rezoning request be postponed and that the developer, after consultation with the Township and taking into consideration the comments of the public and the community, come back to the Board with a proposed contract zoning agreement at the July 17, 2006 regular meeting. Roll Call: Ayes-Reynolds, Tomlinson, Hornung, Fitzgerald, Cannon, West, Sowerby. Nays-None. Absent-None. Motion carried.

The meeting reconvened after a short recess at 8:50 p.m.

4. **PROPOSED REZONING FROM OS-1 OFFICE/SERVICE (LOW-RISE) TO RMH
MULTIPLE-FAMILY RESIDENTIAL (HIGH DENSITY): 5.07 ACRES
FRONTING THE EAST LINE GARFIELD, S. OF 19 MILE ROAD**

Jeffrey Pfeifer of Boulder Construction was present on behalf of the petitioner. Mr. Pfeifer informed the Board that they had completed a traffic analysis and impact would be positive, the proposed development would be limited in height to 35 feet and there would be a large set back landscaping provided to separate the development from Shultz Estates.

Mr. Hornung pointed out that there were 30 to 40 residents from Schultz Estates at the Planning Commission meeting strongly opposed to the rezoning. Mr. Hornung asked if the petitioner would consider a less dense zoning, RML. Mr. Pfeifer stated that the petitioner was not inclined to agree to the RML zoning.

Mr. Sowerby noted that this property had been brought for similar rezoning in 2004 and was turned down by the Board at that time. He spoke to the developer and there was nothing different in this proposal than had been proposed previously. He felt that the developer needed to consider an RML designation.

Mr. Tomlinson asked if there was any possibility of a compromise with a lower density on the section abutting Schultz Estates. Mr. Pfeifer again stated that his client was not interested in a lower classification inasmuch as he was looking at 68 units for the project.

Motion by Mr. Hornung, supported by Mr. Sowerby, to receive and file the correspondence dated April 28, 2006 from the Planning Commission and deny the request for rezoning as recommended. Roll Call: Ayes-Hornung, Sowerby, Reynolds, Fitzgerald, West, Tomlinson. Nays-Cannon. Absent-None. Motion carried.

**5. ADOPT RESOLUTION #1 – SPECIAL ASSESSMENT PROJECT S-1067
ATHENS AVENUE SANITARY SEWER**

Motion by Mr. Tomlinson, supported by Mr. Fitzgerald, to accept the petitions and adopt Resolution No. 1, Special Assessment Project S-1067 for Athens Avenue Sanitary Sewer. Roll Call: Ayes-Tomlinson Fitzgerald, Reynolds, Hornung, Cannon, West, Sowerby. Nays-None. Absent-None. Motion carried.

**6. ADOPT RESOLUTION #2 – SPECIAL ASSESSMENT PROJECT S-1067
ATHENS AVENUE SANITARY SEWER**

Motion by Mr. Hornung, supported by Ms. West, to adopt Resolution No. 2, Special Assessment Project S-1067 for Athens Avenue Sanitary Sewer, and schedule a public hearing for Monday, May 22, 2006 at 6:30 p.m. in the Township Board Chambers, 40700 Romeo Plank Road, Clinton Township, Michigan. Roll Call: Ayes-Hornung, West, Reynolds, Fitzgerald, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

**7. ADOPT RESOLUTION #1 – SPECIAL ASSESSMENT PROJECT S-1068
ATHENS AVENUE WATER MAIN**

Motion by Mr. Reynolds, supported by Mr. Fitzgerald, to accept the petitions and adopt Resolution No. 1, Special Assessment Project S-1068, Athens Avenue Water Main. Roll Call: Ayes-Reynolds, Fitzgerald, Hornung, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

**8. ADOPT RESOLUTION #2 – SPECIAL ASSESSMENT PROJECT S-1068
ATHENS AVENUE WATER MAIN**

Motion by Mr. Hornung, supported by Mr. Fitzgerald, to adopt Resolution No. 2, Special Assessment Project S-1068 for Athens Avenue Water Main and schedule a public hearing for Monday, May 22, 2006 at 6:30 p.m. in the Township Board Chambers, 40700 Romeo Plank

Road, Clinton Township, Michigan. Roll Call: Ayes-Hornung, Fitzgerald, Reynolds, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

9. **REQUEST TO SCHEDULE PUBLIC HEARING ON APPLICATION FOR NEW INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE – GREENE METAL PRODUCTS, INC.**

Motion by Mr. Fitzgerald, supported by Mr. Hornung, to receive, file and concur with the correspondence dated April 26, 2006 from the Economic Development Corporation and schedule a public hearing on the application for new Industrial Facilities Exemption Certificate for Greene Metal Products, Inc., for Monday, May 22, 2006 at 6:30 p.m. in the Township Board Chambers, 40700 Romeo Plank Road, Clinton Township, Michigan. Roll Call: Ayes-Fitzgerald, Hornung, Reynolds, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

10. **REQUEST TO SCHEDULE PUBLIC HEARING ON APPLICATION FOR NEW INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE: OAKLEY INDUSTRIES**

Motion by Mr. Reynolds, supported by Mr. Hornung, to receive, file and concur with the correspondence dated April 26, 2006 from the Economic Development Corporation and schedule a public hearing on the application for new Industrial Facilities Exemption Certificate for Oakley Industries for Monday, May 22, 2006 at 6:30 p.m. in the township Board Chambers, 40700 Romeo Plank Road, Clinton Township, Michigan. Roll Call: Ayes-Reynolds, Hornung, Fitzgerald, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

11. **PUBLIC HEARING ON APPLICATION FOR NEW INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE: PERSONAL PROPERTY: R.T.S. CUTTING TOOLS, INC.**

There were no comments from the public or the Board.

Motion by Mr. Reynolds, supported by Ms. West, to receive, file and concur with the correspondence dated April 26, 2006 from the Economic Development Corporation, close the public hearing and approve a new Industrial Facilities Exemption Certificate for R.T.S. Cutting Tools, Inc., for personal property for 12 years, as recommended. Roll Call: Ayes-Reynolds, West, Hornung, Fitzgerald, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

12. **REQUEST TO CONDUCT WEEKEND ARTS & CRAFT FAIRS – 21676 15 MILE ROAD**

The petitioner was present. He stated that he was trying to find some way of covering the expenses of the property which he has not been able to lease. He stated that the events would be on the week-ends only and that the items for sale would be arts and crafts. He did not consider this to be a flea market. He stated that he would interview potential sellers to make sure the items for sale were of high quality. He also assured the Board that he would maintain the area and clean up after the events.

Mr. Cannon said that it sounded like a flea market. Ms. West asked if the tables would be left out during the week. Mr. Sowerby asked Mr. Santia if there were any site plans for operations such as this. Mr. Santia said that outdoor sales such as this were generally for a short period of time. This is a unique request as the petitioner is asking to operate all summer. He also pointed out that there is a problem with the cash sales being made outdoors. Mr. Sowerby informed the petitioner that the Township ordinances did not allow cash sales taking place outside of the building. He added that he had some concerns about operating such a business outside and felt that a lot of problems can occur.

The petitioner stated that he needs income to keep the property up and pay the taxes. He stated that the Township could stop his business any time.

Motion by Mr. Cannon, supported by Mr. Sowerby, to receive and file the correspondence from Giorgio Gaudenzi and deny the request to conduct weekend arts and craft fairs at 21676 15 Mile. Roll Call: Ayes-Cannon, Sowerby, Reynolds, Hornung, Fitzgerald, West, Tomlinson. Nays-None. Absent-None. Motion carried.

13. REQUEST TO CONDUCT ANNUAL TENT SALE – MICHELE’S SHOES: 41830 GARFIELD

Motion by Mr. Sowerby, supported by Mr. Fitzgerald, to receive, file and concur with the correspondence dated May 8, 2006 from Michele’s Shoes, and approve the request to conduct an annual tent sale at 41830 Garfield June 2 and 3, 2006 with no outside cash sales. Roll Call: Ayes-Sowerby, Fitzgerald, Reynolds, Hornung, Cannon, West, Tomlinson. Nays-None. Absent-None. Motion carried.

14. REQUEST TENT SALE – PARKWAY CHRYSLER, PLYMOUTH, JEEP: 1625. S. GRATIOT

Motion by Mr. Sowerby, supported by Ms. West, to receive, file and concur with the correspondence dated April 18, 2006 from Parkway Chrysler Plymouth, Jeep, and approve the request for a tent sale at 1625 South Gratiot. Roll Call: Ayes-Sowerby, West, Reynolds, Hornung, Fitzgerald, Cannon, Tomlinson. Nays-None. Absent-None. Motion carried.

15. DISCUSS MICHIGAN BREAST CANCER 3-DAY EVENT IN CLINTON TOWNSHIP

Dana Dziekan of the Michigan Breast Cancer 3-Day was present. She stated that she was trying to obtain permission from the communities the walkers would pass through. The walk would end at Metropolitan Beach. She stated that she had received permission from Shelby Township and needed to obtain permission from Sterling Heights and Utica.

Mr. Tomlinson asked if they had considered using the Bike Path on Metropolitan Parkway. The petitioner stated that this was the area they were considering, but also needed to route walkers through the neighborhoods and needed rest areas every 2 to 3 miles along the route. It was suggested that she consider using the Mt. Clemens General building at Gratiot and 16 Mile.

Motion by Mr. Cannon, supported by Mr. Fitzgerald, to receive, file and concur with the correspondence dated April 18, 2006 from Michigan Breast Cancer 3-Day and approve the concept of the walkers coming through Clinton Township with the final route being approved by the Police Chief and the Department of Public Works Superintendent. Roll Call: Ayes-Cannon, Fitzgerald, Reynolds, Hornung, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

16. REQUEST APPROVAL FOR A TOOL & DIE RENAISSANCE RECOVERY ZONE – DIAMOND DIE & MOLD COMPANY

JoAnn Hinds, President of Diamond Die and Mold was present.

Mr. Dolan stated that his office had researched the issue of special assessment payments and found that special assessment would still have to be paid.

Mr. Sowerby stated that similar requests have been made by companies in the Township. He was opposed to this request because he felt that the Township offered other good tax incentives to businesses. He was concerned that other manufacturing businesses would be coming to the Township requesting similar tax breaks.

Ms. Hinds stated that this program is authorized by the State. She pointed out that only \$1,100 would come out of the Township treasury. She felt that this was a good option for businesses such as hers and would help her company during difficult economic times.

Motion by Mr. Cannon, supported by Mr. Hornung, to receive, file and concur with the correspondence dated April 20, 2006 from Diamond Die and Mold Company, and adopt the resolution approving the Tool and Die Renaissance Recovery Zone for Diamond Die and Mold

Company. Roll Call: Ayes-Cannon Hornung, Reynolds, Fitzgerald, West, Tomlinson. Nays-Sowerby. Absent-None. Motion carried.

17. ADOPT ADDITIONAL NOTICE OF INTENT RESOLUTION: GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS

Motion by Mr. Fitzgerald, supported by Mr. Reynolds, to adopt the additional Notice of Intent Resolution for general obligation capital improvement bonds, as presented. Roll Call: Ayes-Fitzgerald, Reynolds, Hornung, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

18. RECOMMENDATION ON APPROVAL OF CONTRACT WITH MEDSTAR

Motion by Mr. Hornung, supported by Mr. Fitzgerald, to receive, file and concur with the correspondence dated May 4, 2006 from the Township Transportation Committee and approve execution of the contract with Medstar, as presented. Roll Call: Ayes-Hornung, Fitzgerald, Reynolds, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

19. APPOINTMENT TO HISTORICAL COMMISSION

Motion by Mr. Cannon, supported by Mr. Tomlinson, to receive, file and concur with the correspondence dated May 3, 2006 from the Administrative Aide and approve the reappointment of William McParlan to the Historical Commission for a term expiring April 13, 2009. Roll Call: Ayes-Cannon, Tomlinson, Reynolds, Hornung, Fitzgerald, West, Sowerby. Nays-None. Absent-None. Motion carried.

Motion by Mr. Cannon, supported by Mr. Hornung, to receive, file and concur with the correspondence dated May 3, 2006 from the Administrative Aide and approve the appointment of Gerald Oehmke to the Historical Commission for a term expiring April 13, 2009. Roll Call: Ayes-Cannon, Hornung, Reynolds, Fitzgerald, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

20. RECOMMENDATION ON WAIVERS FOR HOLSBEKE STORAGE BUILDING

Motion by Mr. Cannon, supported by Mr. Reynolds, to receive, file and concur with the correspondence dated April 19, 2006 from the Budget/Ways & Means Committee and approve the waivers for the Holsbeke storage building as recommended and as outlined in the correspondence. Roll Call: Ayes-Cannon, Reynolds, Hornung, Fitzgerald, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

21. CALCIUM CHLORIDE AGREEMENT

Motion by Mr. Reynolds, supported by Mr. Fitzgerald, to receive, file and concur with the correspondence dated April 21, 2006 from the Department of Public Works and approve the execution of the calcium chloride agreement, as presented. Roll Call: Ayes-Reynolds, Fitzgerald, Hornung, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

22. PURCHASE OF TWO (2) PICK-UP TRUCKS – PUBLIC WORKS

Mr. Fitzgerald asked if the trucks would be equipped with four-wheel drive so that they could be used for snow plowing.

Mr. Westerman informed the Board that these were mid-management replacements which were scaled down for better fuel economy. He added that there was no trade-in value for the vehicles which were being replaced.

Motion by Mr. Hornung, supported by Ms. West, to receive, file and concur with the correspondence dated April 18, 2006 from the Department of Public Works and approve the purchase of two pick-up truck, as recommended. Roll Call: Ayes-Hornung, West, Reynolds, Fitzgerald, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

23. APPROVAL OF BALLOT LANGUAGE FOR AUGUST 8, 2006 MILLAGE QUESTION

Russell Holzlander of 38015 San Tropez stated that he has been attending the committee meetings and believes there may be some problem with the proposed language as the committee has never seen the ballot language.

Roger Holzlander of 38015 San Tropez added that there was some concern that the phrasing might give the impression that the police officers would be receiving pay increases.

Mr. Dolan stated that the language was devised so that the funds could not be used for general operating and the language restricted the use of the funds.

Mr. Fitzgerald felt that the language should be worded in such a way as the last phrased dealt with what the millage was for and not the amount of the millage. He felt the language should be worded in such a way as the last thought was police protection rather than an amount of money.

Mr. Cannon felt that as a courtesy to the committee they should have the opportunity to review the ballot language. Mr. Tomlinson added that it is important that the expenditures be spelled

out. He also informed the Board that the ballot language must be returned to the County by May 30.

Motion by Mr. Cannon, supported by Mr. Fitzgerald, to postpone action on the approval of ballot language for August 8, 2006 millage question for two weeks to the next Board meeting. Roll Call: Ayes-Cannon, Fitzgerald, Reynolds, Hornung, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

24. RECOMMENDATION OF PERSONNEL VACANCY REVIEW COMMITTEE

Motion by Mr. Hornung, supported by Mr. Reynolds, to receive, file and concur with the correspondence dated May 1, 2006 from the Personnel Vacancy Review Committee and approve the filling of the vacancy in the Fire Department, as recommended. Roll Call: Ayes-Hornung, Reynolds, Fitzgerald, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

Motion by Mr. Reynolds, supported by Ms. West, to receive, file and concur with the correspondence dated May 1, 2006 from the Personnel Vacancy Review Committee and approve the filling of the police officer vacancy in the Police Department, as recommended. Roll Call: Ayes-Reynolds, West, Hornung, Fitzgerald, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

Motion by Ms. West, supported by Mr. Fitzgerald, to receive, file and concur with the correspondence dated May 1, 2006 from the Personnel Vacancy Review Committee and approve the request to promote a current dispatcher to Radio Room Leader, as recommended. Roll Call: Ayes-West, Fitzgerald, Reynolds, Hornung, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

25. DISCUSSION ON POLICE CHIEF'S CONTRACT

Motion by Mr. Hornung, supported by Mr. Reynolds, to go into closed session immediately following the regular meeting for the purpose of discussing written legal opinion regarding the police chief's contract. Roll Call: Ayes-Hornung, Reynolds, Fitzgerald, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

26. DISCUSSION ON PURCHASE OF MILITARY TIME

Mr. Van Overbeke, counsel for the retirement system, stated he had research on the Board's policy on purchase of military time and found that the policy complied with Act 345 and current law.

Motion by Mr. Tomlinson, supported by Mr. Hornung, to receive and file the correspondence from Attorney Michael VanOverbeke and deny the request of Lt. Paul Cieslak to purchase military time. Roll Call: Ayes-Tomlinson, Hornung, Reynolds, Fitzgerald, Cannon, West, Sowerby. Nays-None. Absent-None. Motion carried.

APPROVAL OF MINUTES OF APRIL 26, 2006 REGULAR MEETING

Motion by Mr. Hornung, supported by Mr. Reynolds, to approve the minutes of the meeting of April 26, 2006, as presented. Roll Call: Ayes-Hornung, Reynolds, Fitzgerald, Cannon, West, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

APPROVAL OF BILLS

Motion by Mr. Fitzgerald, supported by Ms. West, to approve the bills as presented. Roll Call: Ayes-Fitzgerald, West, Reynolds, Hornung, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

PUBLIC COMMENTS

Mr. Ken Reif asked whether he should avoid making improvements to his home in light of the recent Supreme Court ruling on eminent domain.

ADJOURNMENT

Motion by Mr. Reynolds, supported by Ms. West, to adjourn. Roll Call: Ayes-Reynolds, West, Hornung, Fitzgerald, Cannon, Sowerby, Tomlinson. Nays-None. Absent-None. Motion carried.

The Regular Meeting adjourned at 10:15 p.m.

Respectfully submitted,

DENNIS C. TOMLINSON, CLERK
CHARTER TOWNSHIP OF CLINTON